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SUBJECT Illegal Agents

SANFORD UNGAR: Four years ago, while visiting Budapest, Janos Smulka (?), a Hungarian-born U.S. Army officer, was approached by Hungarian intelligence agents. They tried to recruit him as a spy. Under instructions from American agents, Smulka played along with the Hungarians for four years, feeding them false information. Yesterday, as a result of the ploy, Otto Attila Gilbert, a native of Hungary who has lived in the United States for 20 years, was arrested in Georgia on espionage charges.

It is suspected that Gilbert is not just an ordinary spy, but what's called an illegal agent, long in place, waiting to be activated.

Former FBI official Homer Boynton explains the distinction.

HOMER BOYNTON: The normal spies, so to speak, who come out of the various embassies and consulates of adversary countries are oft times referred to as the legal representatives. They are here under the appropriate diplomatic license. The illegal agents are here under a false identity, but are still representatives of the intelligence agencies of the adversary countries.

UNGAR: And they may live here for a long period of time without engaging in espionage at all. Is that right?

BOYNTON: Yes. Actually, Sandy, they are what you might call a sleeper. They are here for the main purpose of when, if diplomatic relations or a state of war occurs between the adversary country and the United States, and all the diplomatic people, the legal people are returned to the host country, then the illegal agent is in a position to take over and become the operative.

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UNGAR: Right. And sometimes they may live here for a long period of time and then suddenly be activated for a particular purpose.

BOYNTON: That's true. A famous case involving Colonel Rudolf Ivanovich Abel, who was arrested in 1957. And it's a well-known case. He was exchanged for the U-2 pilot Gary Francis Powers. Colonel Abel was an illegal alien and had resided in the United States for about eight or nine years.

UNGAR: Mr. Boynton, what does it take to catch an illegal? What are these investigations like?

BOYNTON: It is a very difficult type of case to solve. There are certain communi -- to try -- the best way is to try to break through the communications network from the illegal agent to what is referred to, in the Russian terms, the center or the intelligence agency headquarters in the particular country.

UNGAR: It looked as if this case took four years. It was four years from the time that this American military officer was approached while visiting his family in Budapest. Is that an unusual length of time for a case to be developed?

BOYNTON: No. They have a world of patience. And they also are very, very careful not to have the illegal agent run other sub-agents or have his identity known to other agents here in the United States. So that if one is caught, he is not able to identify others who would have been sent here by either the Hungarian government or the Russian government, or whatever.

UNGAR: Homer Boynton, a former FBI agent who worked on counterintelligence cases for many years.